

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WILLIE EDWARDS,	No. C 08-01923 CW
Petitioner,	ORDER DENYING
v.	RESPONDENT'S REQUEST
BEN CURRY, Warden,	FOR STAY
Respondent.	

Petitioner, a prisoner of the State of California, has filed a habeas corpus petition pursuant to 28 U.S.C. § 2254 challenging the Board of Parole Hearings' decision to deny Petitioner parole. Respondent requests a stay of this petition pending the issuance of a decision in Hayward v. Marshall, 512 F.3d 536 (9th Cir.), reh'g en banc granted, No. 06-55392 (9th Cir. May 16, 2008). Petitioner opposes the request. Respondent has not filed a reply.

Respondent asserts that a stay is warranted on basis of judicial economy because Hayward may decide various issues applicable to this case. A district court should not stay a habeas petition indefinitely pending resolution of a different case involving parallel issues on the basis of judicial economy and to prevent an intra-district split in decisions. Yong v. INS, 208

1 F.3d 1116, 1120-22 (9th Cir. 2000).

2 Accordingly, the motion for a stay is DENIED.

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4 IT IS SO ORDERED.

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6 Dated: 8/28/08



7 CLAUDIA WILKEN  
8 United States District Judge  
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